

IN THE

Court of Appeal of the State of California

IN AND FOR THE

Fifth Appellate District

COURTROOM PROCEEDINGS

The court met in its courtroom at 10:00 A.M. Present: Honorable Gene M. Gomes, Acting Presiding Justice; Honorable Betty L. Dawson, Associate Justice; Honorable Stephen Kane, Associate Justice; and Leisa V. Biggers, Clerk/Administrator, by Jill Rivera, Deputy Clerk.

F051947 People v. Martinez

Cause called and argued by Doris A. Calandra, Deputy Attorney General, counsel for respondent. Rita Swenor, Esq., counsel for appellant waived oral argument.

Cause ordered submitted.

Court recessed until Monday, March 10, 2008 at 10:00 A.M.

F051808 People v. Ganoe

The judgment is affirmed with modifications. Cornell, J.

We concur: Vartabedian, Acting P.J.; Gomes, J.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F054293 Lynnette M. v. The Superior Court of Fresno County; Fresno Co. Dept. of Children & Family Services

The petition for extraordinary writ is dismissed. This opinion is final forthwith as to this court.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

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F054712 Larissa Schuster v. Superior Court, Fresno; The People

Let a peremptory writ of mandate issue directing respondent court to vacate its orders of February 4, 2008 and February 22, 2008, denying the Petition in Fresno County Superior court action No. F03904715-0, to schedule and conduct a hearing pursuant to Code of Civil Procedure section 237, subdivisions (c) and (d), to reconsider said Petition and, thereafter, enter an order either granting or denying said Petition in whole or in part.

This court notes that nothing in this order limits the discretion vested in the trial court by Code of Civil Procedure section 237, subdivisions (c) and (d), including but not limited to, protective orders.

The order filed in this court on March 3, 2008, staying the order of February 4, 2008, and petitioner's trial will remain in effect only until this opinion is final in all courts of this state, the California Supreme Court grants a hearing herein or respondent court complies with the above-stated directions, whichever shall first occur.

This opinion shall become final in this court on the date it is filed. (Cal. Rules of Court, rule 8.264(b)(3); *Ng v. Superior Court* (1992) 4 Cal.4th 34-35.)

Insofar as petitioner requests relief in addition to that granted above, the Petition is denied.

By the Court.

[NOT TO BE PUBLISHED IN OFFICIAL REPORTS]

F052149 People v. Mc Dowell

Oral argument having been waived in the above-entitled case in accordance with the provisions of a notice mailed to counsel, the calendar date heretofore set is vacated and the case is submitted for decision.

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F053437 Polanco v. Visionary Properties

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.

F053935 People v. Smith

Appellant having filed an abandonment and/or request for dismissal of appeal, IT IS HEREBY ORDERED that the appeal in the above-entitled action is dismissed.